



UNODC

United Nations Office on Drugs and Crime

UNODC Technical Meeting of Experts on the Trafficking in Fraudulent Medicine

BACKGROUND NOTE

Fraudulent medicines pose a considerable public health threat as they can fail to cure, may harm and even kill patients. These threats to public health have led the international community to call for a stronger and more coordinated response. Compounding this public health risk is the fact that the supply chain for medicines operates at a global level, and therefore, a concerted effort at the international level is required to effectively detect and combat the introduction of fraudulent medicines along this supply chain.

The 20th session of the Commission on Crime Prevention and Criminal Justice (CCPCJ) adopted resolution 20/6¹ on fraudulent medicines, otherwise referred to as falsified medicines due to concern about the involvement of organized crime in the trafficking in fraudulent medicines. At the same time, resolution 20/6 highlights the potential utility of the United Nations Convention against Transnational Organized Crime (UNTOC) for which UNODC is the guardian, in re-enforcing international cooperation in the fight against trafficking, through, its provisions, *inter alia*, on mutual legal assistance, extradition and the seizing, freezing and forfeiture of the instrumentalities and proceeds of crime.

As with other forms of crime, criminal groups use, to their advantage, gaps in legal and regulatory frameworks, weaknesses in capacity and the lack of resources of regulatory, enforcement and criminal justice officials, as well as difficulties in international cooperation. At the same time, the prospect of the comparatively low risk of detection and prosecution in relation to the potential income make the production and trafficking in fraudulent medicines an attractive commodity to criminal groups, who conduct their activities with little regard to the physical and financial detriment, if not the exploitation, of others.

Resolution 20/6 contains nine action points among which paragraph nine requests that UNODC, in cooperation with other United Nations bodies and international organizations, such as the International Narcotics Control Board (INCB), the World Health Organization (WHO), the World Customs Organization (WCO) and the International Criminal Police Organization (ICPO/INTERPOL), as well as relevant regional organizations and mechanisms, national regulatory agencies for medicines and, where appropriate, the private sector, civil society organizations and professional associations, assist Member States in building capacity to disrupt and dismantle the organized criminal networks engaged in all stages of the illicit supply chain, in particular distribution and trafficking, to better utilize the experiences, technical expertise and resources of each organization and to create synergies with interested partners.

While focus has been given to the health and regulatory aspect of this problem, it appears that less attention has been given to the issue from a criminal justice perspective. Given its expertise and work to build effective and transparent criminal justice systems and to support states to prevent and combat all forms of organized crime, UNODC can support the fight against the illicit manufacture and trafficking of fraudulent medicines in coordination with other stakeholders.

In light of this background, UNODC is hosting a technical conference of experts on the trafficking in fraudulent medicines, 14-15 February 2013 in Vienna. This meeting is funded by an extra-budgetary contribution from the Government of France.

¹ E/2011/30E/CN.15/2011/21

Despite to the multifaceted nature of the matter, issue it should be highlighted that this meeting will focus on the problems of production, trafficking, and supply of fraudulent medicines and the measures under taken to resolve these issues.

The main objectives of the meeting are to broaden understanding about the crime aspect of the problem through the sharing of experiences regarding the challenges and responses adopted at national level, by regional and international organizations, as well as by public and private sector entities and to pinpoint gaps and explore synergies, in order to foster effective international collaboration. Through this process, UNODC may identify areas where its technical assistance programmes can add value and complement existing initiatives.

The meeting is organized into six sessions, including: an overview by keynote speakers; challenges in addressing the problem; national and regional perspectives, initiatives and responses; perspectives from non-governmental organizations and business associations; perspectives relating to regulatory and law enforcement investigations, training and cooperation and a final panel for moderators to present their views on the key points made during the meeting. The final panel will also identify gaps addressed by the international community including potential areas for UNODC engagement.

The outcomes of the meeting will be reflected in the report on the implementation of Resolution 20/6, to be presented for consideration to the 22nd Session of the CCPCJ in April 2013. As this is an informal conference of experts, there will be no resolutions to be put forward to this session of the CCPCJ.